

THADDEUS M. JOY.

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JUNE 6, 1898.—Committed to the Committee of the Whole House and ordered to be printed.

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Mr. CASTLE, from the Committee on Invalid Pensions, submitted the following

REPORT.

[To accompany S. 2886.]

The Committee on Invalid Pensions, to whom was referred the bill (S. 2886) granting an increase of pension to Thaddeus M. Joy, have considered the same and the evidence relating thereto and respectfully report:

This bill proposes to increase from \$12 to \$30 per month the pension of Thaddeus M. Joy, of Los Gatos, Cal.

The Senate report states the facts, and is as follows:

The Committee on Pensions, to whom was referred the bill (S. 2886) to increase the pension of Thaddeus M. Joy, have examined the same and report:

This soldier is pensioned at the rate of \$12 per month, for disease of rectum and paralysis. There is no question but that these disabilities exist in an aggravated form, but the soldier has been unable to satisfy the Pension Bureau that they originated in the service. The pension certificate now held by the soldier is pursuant to the act of June 27, 1890, and is for total disability to perform manual labor.

Thaddeus M. Joy was a sergeant in the Twenty-seventh Battery, New York Light Artillery. He enlisted September 15, 1862, and was honorably discharged June 22, 1865. He was present at the battle of Petersburg, June 17, 1864.

In an affidavit dated November 20, 1897, William R. Scott, of 414 Mining Exchange Building, Denver, Colo., says:

"I was a second lieutenant in the Twenty-seventh New York Independent Battery of Light Artillery, and was present at the battle of Petersburg on the 17th of June, 1864, in which Thaddeus M. Joy was injured. I was a sergeant at that time and had charge of the third gun. Joy was a sergeant handling the fourth gun, about 25 feet to my left. My limber and caisson were in a ravine about 100 feet in the rear of the gun near a spring curbed with a flour barrel. I went to the spring to get a drink and a canteen full of water; saw Joy go to the spring and get water in his canteen, which he carried to the front of his gun and poured on the sponge head which No. 1 (Jack Fingleton) held out to him, and while they were doing this the gun went off. The rammer went out of Fingleton's hands and both men were tumbled over by the shock, and Joy was rendered unconscious and was carried to the rear. They were not over 20 feet from me at the time."

Christian Humbert, of Getzville, N. Y., testifies:

"I was a member of the Twenty-seventh Battery of New York Light Artillery, and I know Thaddeus M. Joy, who later on became sergeant of the battery. I was swing-driver on the piece at the first battle of Petersburg, and when we were shell-

ing the enemy I noticed that the gun went off and he was knocked over by the concussion of the firing of the gun, and was made unconscious. He afterwards recovered and remained by this gun until the end of the battle. After that he was not like himself as he had formerly been. He seemed dull and deaf, hardly hearing. Along in December, 1864, or January, 1865, he was taken sick and excused from duty, being under the doctor's treatment at the same time, and six weeks later he was again treated by the doctor."

In his sworn declaration for pension the claimant states that "his 12-pounder brass gun was being rapidly fired and had become dangerously heated. He advanced with his canteen and dampened the sponge head in the hands of one of the gun squad, and while in this act, his head being in close proximity to the muzzle of the gun, the latter discharged, the concussion prostrating and partially paralyzing him. From this shock he never entirely recovered. The disease gradually increased, and finally, in the year 1883, culminated in a complete stroke of paralysis, that for a time made him entirely helpless—unable to speak or move. That also, from continuous exposure in the service, he contracted a severe case of protruding piles, which alone incapacitates him from manual labor and obliges him to wear continually a support or truss to alleviate constant and excruciating pain."

In an affidavit executed July 3, 1897, Dr. R. A. Urquhart, of Los Gatos, Cal., from 1875 to 1885 a passed assistant surgeon of the United States Navy, states:

"I have this day examined Thaddeus M. Joy, formerly of Battery Twenty-seven, New York Light Artillery, and find the following conditions, viz: He has almost complete motor paralysis of the left side, being unable to walk or to feed himself properly or to dress and undress himself; he has valvular disease of the heart; he has internal hemorrhoids and prolapse of the rectum. He is absolutely unable to contribute anything to the support of himself, wife, and three children, the eldest being but 14 years old."

Ten living members of Mr. Joy's battery testify to his soldierly qualities and faithful services from the organization of the battery in 1862 to its honorable discharge in June, 1865.

In view of the foregoing, your committee recommend that the bill pass, with the following amendment:

Strike out all after the word "artillery," in the sixth line, and insert in lieu thereof the following: "and pay him a pension at the rate of thirty dollars per month in lieu of the pension now received by him."

The bill is therefore reported back with the recommendation that it pass.